

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

XEROX CORPORATION,

Plaintiff,

CASE NO. 06-CV-14358

vs.

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

N.W. COUGHLIN & CO., et al.,

Defendants.

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**ORDER: (1) DISMISSING PLAINTIFF'S CIVIL CONSPIRACY CLAIM AS TO ALL  
DEFENDANTS WITH PREJUDICE; AND  
(2) REQUIRING THE PARTIES TO APPEAR FOR HEARING ON DAMAGES ON  
MAY 27, 2009**

This matter is before the Court as a result of a settlement conference held on February 23, 2008.

At the hearing, plaintiff Xerox Corporation ("Plaintiff") voluntarily sought dismissal of its civil conspiracy claim against defendants N.W. Coughlin & Co., M. Blanc, N.W.C. Program Administration, Robert Lott, Linda Lott, David Merchant, and Darwin Semann ("Defendants"). Plaintiff's civil conspiracy claim was its last remaining cause of action against Defendants. Therefore, for these reasons and those stated on the record, the Court accepted Plaintiff's request and dismissed Plaintiff's civil conspiracy claim.

The parties then entered into settlement negotiations off the record with Magistrate Judge Donald Scheer but were unsuccessful in reaching a settlement. As a result, the Court ordered the parties to appear at for a hearing regarding damages on May 27, 2009 at 9:00 a.m.

For these reasons, the Court

- (1) **DISMISSES** Plaintiff's civil conspiracy claim against Defendants;
- (2) **ORDERS** Plaintiff to brief the specific amount of damages requested by May 6, 2009;
- (3) **ORDERS** Defendant to respond to Plaintiff's brief by May 13, 2007;
- (4) **ORDERS** the parties to appear at 9:00 a.m., in Room 737 of the Theodore Levin United States Courthouse, 231 W. Lafayette Blvd., Detroit, Michigan for a hearing to be held on the same date and time.

**SO ORDERED.**

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: February 25, 2009

**CERTIFICATE OF SERVICE**

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 25, 2009.

S/Denise Goodine  
Case Manager